

The 1st February, 1971

No. 759/Admin/111/A/14.—The following confirmations in the cadre of Superintendent of I.B.H.O. are hereby ordered :—

S. No.	Name of the officers	Post on which confirmed	Date of confirmation	REMARKS
S/Shri :—				
1.	N. R. Tandon, Pt. Superintendent, Superintendent with effect from 19th January, 1969		1st April, 1969	Against sanction of one permanent post of Superintendent with effect from 1st April, 1968, in the new cadre.
2.	Kidar Singh, Pt., Superintendent with effect from 2nd October, 1969	Do	19th January, 1969	Vice Sl. No. 1
3.	Ganga Bishan, Pt. Deputy Superintendent with effect from 19th January, 1969	Do	2nd October, 1969	Vice Sl. No. 2
4.	Ram Parkash Chopra, Pt. Deputy Superintendent, with effect from 2nd October, 1969	Do	21st Octob. t, 1970	Vice Shri Charanji Lal confirmed as O. S. D. with effect from 21st October, 1970

By order of the Governor of Haryana.

K. S. PATHAK,

Chief Engineer, Projects,
Irrigation Works, Haryana,
Chandigarh.

PANCHAYATI RAJ PUBLIC WORKS CIRCLE, HARYANA

The 15th January, 1971

No. PRC/71/440.—Whereas it appears to the Governor of Haryana that land specified below is needed by Government, at the public expense, namely for the construction of Bhond's Abheypur Road in Gurgaon District. It is hereby declared that the land described in the specification below is required for the above purpose.

This declaration is made under the provisions of Section 6 of the Land Acquisition Act, 1894 to all whom it may concern and under the provisions of Section 7 of the said Act, the Land Acquisition Collector, P.W.D., B. & R., Haryana, Ambala Cantt. is hereby directed to take orders for the acquisition of the said land.

In view of the urgency of the acquisition, the Governor of Haryana in exercise of the powers under section 17(1) of the said Act is further pleased to direct that the Land Acquisition Officer, Public Works Department, Buildings and Roads Branch, Ambala Cantt., shall proceed to take possession out of the land herein specified any waste or arable land in accordance therewith.

Plans of the land may be inspected in the office of the Land Acquisition Collector, P.W.D., B. & R., Haryana, Ambala Cantt.

SPECIFICATION

District	Tehsil	Village	Area in Kanal	Boundry with description
Gurgaon	Gurgaon	Sehajawa	7.24	As demarcated at site.

(Sd.) . . .

Executive Engineer,
Panchayati Raj, P.W.D., B. & R. Circle, Haryana,
Chandigarh.

HARYANA PUBLIC WORKS DEPARTMENT**BUILDINGS AND ROADS BRANCH**

The 19th January, 1971

No. 28-HA-63-T/250.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense, for a public purpose, namely, Establishing Crusher at Khanak, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the Officers for the time being engaged in the undertaking with their servants and workmen to enter upon and survey any land in the locality and do all other acts, required or permitted by that section.

Any person interested, who has any objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P. W. D., B. & R. Branch, Ambala Cantt.

SPECIFICATION

District	Tehsil	Locality	Area in Acres	Remarks
Hissar	Bhiwani	Khanak	3.17	Khasra No. 182

M. G. UPPAL,
Superintending Engineer,
Hissar Circle, P. W. D. B. & R. Branch,
Hissar.

LABOUR DEPARTMENT

The 28th January, 1971

No. 896-1Lab-70/3094.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workman and the management of M/s Modern Coop. Transport Society, Ltd., Gurgaon :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK
REFERENCE NO. 36 OF 1970

between

THE WORKMAN THROUGH GENERAL SECRETARY, ENGG. MAZDOOR UNION (REGD),
GURGAON AND THE MANAGEMENT OF M/S MODERN COOP. TRANSPORT SOCIETY
LTD. GURGAON

Presence.—

Shri C. B. Kaushik, for the workman.

Shri Dwarka Dass, for the management.

AWARD

Shri Suraj Parkash was in the service of M/s. Modern Coop. Transport Society, Ltd., Gurgaon. His services were terminated and his gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication,—*vide* Gazette Notification No. ID/GG/69/16511, dated 13th June, 1969 :—

“Whether the dismissal of Shri Suraj Parkash was justified and in order? If not, to what relief is he entitled? ”.

This reference was transferred to this court for adjudication,—*vide* Gazette Notification No. 6091-E/ Lab-70/22387, dated 31st July, 1970. On receipt of the reference usual notices were issued to the parties by my learned predecessor Shri O. P. Sharma. It is, however, not necessary to decide the case on merits because a compromise has been effected between the parties. The statements of the parties have been recorded. Shri Suraj Parkash, workman has stated that he has received all his dues from the management and he does not wish to go back into their service. I give my award accordingly. No order as to costs,

P. N. THUKRAL,

Dated 23rd November, 1970.

Presiding Officer,
Labour Court, Haryana, Rohtak,
Camp Gurgaon.

No. 1200, dated 22nd November, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana, Rohtak,
Camp Gurgaon

No. 897-1Lab-70/3098.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Prominent Engineering Co., Industrial Estate, Mahrauli Road, Gurgaon:—

**BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK**

Reference No. 66 of 1970

between

**THE WORKMEN THROUGH GENERAL SECRETARY, ENGINEERING MAZDOOR UNION
(REGD), RAILWAY ROAD, GURGAON CANTT. AND THE MANAGEMENT OF M/S
PROMINENT ENGINEERING CO., INDUSTRIAL ESTATE, MAHRRULI ROAD,
GURGAON**

Present:—

Shri C. B. Kaushik, for the workmen.
Nemo, for the management.

AWARD

Sarvshri Manphul Singh, Muni Ram, Mul Chand and Shri Raj Kumar were in the service of M/s Prominent Engineering Co., Industrial Estate, Mahrauli Road, Gurgaon. Their services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers

conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—*vide* Gazette notification No. ID/GC/D4-A-70/231008, dated 7th August, 1970.—

Whether the termination of services of the following workmen was justified and in order? If not, to what relief are they entitled?

- (1) Shri Manphul Singh.
- (2) Shri Mul Chand.
- (3) Shri Muni Ram.
- (4) Shri Raj Kumar.

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workmen. No body appeared on behalf of the management. The registered notice issued to them was received back with an endorsement that the respondent factory is closed. The statement of Shri C. B. Kaushik who represented the workmen was received. He admits that the respondent factory is closed and the workmen have also not contacted him and given him any instructions to proceed further with the case. Since the workmen have not led any evidence to prove that the termination of their services was not justified, I give my award in favour of the management. No order as to costs.

P. N. THUKRAL,

Dated the 23rd November, 1970.

Presiding Officer,
Labour Court, Haryana,
Rohtak
(Camp Gurgaon).

No. 1202, dated the 27th November, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 16 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak
(Camp Gurgaon).

No. 966-1 Lab-70/3100.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Pataudi Haili Mandi Co-operative Marketing Society Ltd., Haili Mandi (Gurgaon)

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 142 of 1970

between

THE WORKMEN THROUGH GENERAL SECRETARY, ENGG. MAZDOOR UNION,
GURGAON, AND THE MANAGEMENT OF M/s PATAUDI HAILI MANDI CO-OPERATIVE
MARKETING SOCIETY LTD, HAILI MANDI (GURGAON)

Present —

Shri C. B. Kaushik, for the workmen.
Nemo, for the management.

AWARD

Sarvshri Jag Ram and Net Ram were in the service of M/s Pataudi Haili Mandi Co-operative Marketing Society Ltd., Haili Mandi (Gurgaon). Their services were terminated by the management and this gave rise to an industrial dispute. Accordingly, the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial

Disputes Act, 1947, referred the following dispute for adjudication to this Court,—*vide* Gazette Notification No. ID/FD/534-1/23695, dated 26th August, 1970:—

Whether the termination of services of Sarvshri Jag Ram and Net Ram was justified and in order? If not, to what relief are they entitled?

This reference was transferred to this Court for adjudication,—*vide* Gazette Notification No. 6091-E/Lab-70/22387, dated 31st July, 1970.

On receipt of the reference, usual notices were issued to the parties by my learned predecessor Shri O. P. Sharma. The service of the management was effected by registered post for 23rd October, 1970. On the date fixed for hearing no body appeared on behalf of the management and my learned predecessor directed the workmen to produce their *ex parte* evidence in support of their case.

I have recorded the evidence of both the workmen Sarvshri Jag Ram and Net Ram. It is satisfactorily established by their evidence that the management have terminated their services without giving them any opportunity to prove that the charges levelled against them were not correct. The management did not hold any enquiry against the workmen nor they have appeared in this Court to prove that the termination of the services of Sarvshri Jag Ram and Net Ram was justified and in order. In my opinion therefore, the termination of the services of Sarvshri Jag Ram and Net Ram is not proved to be justified and they are entitled to be reinstated with continuity of service and full back wages. I give my award accordingly. No order as to costs.

P. N. THUKRAL,

Dated the 23rd November, 1970.

Presiding Officer,
Labour Court, Haryana,
Rohtak Camp Gurgaon.

No. 1201, dated the 27th November, 1970

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak, Camp Gurgaon.

No. 907-II Lab-70/3102.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Haryana Co-operative Sugar Mills, Rohtak.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Application No. 308 of 1970

between

SHRI BRIJ RAJ GIRI, WORKMAN AND THE MANAGEMENT OF M/S HARYANA
CO-OPERATIVE SUGAR MILLS, ROHTAK

Present:—

Shri Brij Raj Giri, workman concerned.

Shri Hoshiar Singh with Shri Zila Singh for the management.

AWARD

Shri Brij Raj Giri who is working as a Lab. Chemist has made this application under section 33-A of the Industrial Disputes Act, 1947, complaining that the management has given a preference to a Junior Lab. Chemist Shri Parkash Chand Gupta by putting him on duty a few days before duty was given to him at the time of the start of the season. According to the petitioner he being senior was entitled to be called first and thus the conditions of his service have been changed to his prejudice.

In the application it is not stated whether any industrial dispute was pending in this Court when the so-called charge in the service conditions of the applicant was made. So the statement of the petitioner was recorded and he has stated that his application under sub-section (2) of section 33-C of the Industrial Disputes Act, 1947 is pending in this Court and during the pendency of this application his service condition have been changed. An application under section 33-C(2) of the Industrial Disputes Act, 1947 does not constitute an industrial dispute and, therefore, the present complaint under section 33 A of the Industrial Disputes Act, 1947 is not competent and the application is rejected on this preliminary point.

Dated the 4th January, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak

No. 58, dated Rohtak the 5th January, 1971

Forwarded (four copies) to the Secretary to Government Haryana, Labour and Employment Department, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 861-Lab-70/3104.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Dujodwala Industries Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

References Nos. 6, 7, 11 and 155 of 1970

between

SARVSHRI BADRI PARSHAD, PARAS RAM, SUKHU AND CHANDER BODH THROUGH THE GENERAL SECRETARY, GENERAL ENGINEERING MAZDOOR UNION, FARIDABAD AND THE MANAGEMENT OF M/s UJODWALA INDUSTRIES, FARIDABAD

Present—

Sh. Bhim Singh, for the workmen.

Sh. R. C. Sharma, for the management.

AWARD

This order will dispose of 4 connected references No. 6, 7, 11 and 155 of 1970 because the questions of fact and law involved in the decision of all the cases are the same and, therefore, with the consent of the parties, the proceedings in all the 4 cases were consolidated to avoid duplication of work.

The fact of the cases are that Sarvshri Badri Parshad, Paras Ram, Sadhu and Chander Bodh were in the service of M/s Dujodwala Industries, Faridabad. These workmen complain that they have been removed from service without any prior notice or justification. They were accordingly aggrieved by reason of the alleged termination of their services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the cases of all these 4 workmen to this Court for adjudication. The case of Sh. Badri Parshad was referred,—*vide* Gazette Notification No. ID/FD/428/F/219780, dated 20th July, 1970, and has been registered as reference No. 6/70. The subject-matter of dispute referred in this case is as under :—

“Whether the termination of services of Shri Badri Parshad was justified and in order. If not, to what relief is he entitled ?”

The case of Sh. Paras Ram was referred,—*vide* Gazette Notification No. ID/FD/21988, dated 20th July, 1970 and has been registered as reference No. 7/70. The subject-matter of dispute referred in this case is as under :—

“Whether the termination of services of Sh. Paras Ram was justified and in order. If not, to what relief is he entitled ?”

The case of Shri Sukhu was referred,—*vide* Gazette Notification No. ID/PD/428-C/21916, dated 20th July, 1970 and has been registered as reference No. 11/70. The subject matter of dispute referred in this case is as under:—

“Whether the termination of services of Shri Sukhu was justified and in order? If not, to what relief is he entitled ?

The case of Sh. Chander Bodhi has been referred,—*vide* Gazette Notification No. ID/FD/428-F/26725, dated 3rd September, 1970, and has been registered as reference No. 155/70. The subject-matter of dispute referred in this case is as under :—

“Whether the termination of services of Shri Chander Bodhi was justified and in order ? If not, to what relief is he entitled ?

On receipt of the references usual notices were issued to the parties by my learned predecessor Shri O. P. Sharma in response to which a statement of claim and a written statement were filed by the parties separately in each case. The pleadings of the parties gave rise to the following issues in each case:—

Issue in reference No. 6 of 1970—

- (1) Whether there is no industrial dispute between the workman and the management as contemplated under the Industrial Disputes Act, 1947 ?
- (2) Whether the reference is invalid for the reasons given in the written statement ?
- (3) Whether Shri Badri Parshad had himself tendered his resignation to the management? If so, with what effect ?
- (4) Whether the termination of services of Shri Badri Parshad was justified and in order? If not, to what relief is he entitled ?

Issue in reference No. 3 of 1970—

- (1) Whether there is no industrial dispute between the workman and the management as contemplated under the Industrial Disputes Act ?
- (2) Whether the reference is invalid for the reasons given in the written statement ?
- (3) Whether Shri Paras Ram had himself tendered his resignation to the management ? If so, with what effect ?
- (4) Whether the termination of services of Shri Paras Ram was justified and in order? If not, to what relief is he entitled ?

Issue in reference No. 11 of 1970—

- (1) Whether there is no industrial dispute between the workman and the management as contemplated under the Industrial Disputes Act ?
- (2) Whether the reference is invalid for the reasons given in the written statement ?
- (3) Whether Sh. Sukhu had himself tendered his resignation to the management ? If so, with what effect ?
- (4) Whether the termination of services of Shri Sukhu was justified and in order ? If not, to what relief is he entitled ?

Issue in reference No. 155 of 1970—

- (1) Whether there is no industrial dispute between the workman and the management as contemplated under the Industrial Disputes Act ?
- (2) Whether the reference is invalid for the reasons given in the written statement ?
- (3) Whether Shri Chander Bose had himself tendered his resignation to the management? If so, with what effect ?
- (4) Whether the termination of services of Shri Chander Bose was justified and in order? If not, to what relief is he entitled ?

The evidence with regard to the question of fact and law involved in all the 4 cases was the same and, therefore, the proceedings were consolidated in order to avoid duplication of work and the evidence was recorded in reference No. 155 of 1970. The management have produced Shri S.K. Sharma, Time Keeper, M.W. 1, Shri P. Satija, Plant Manager, M. W. 2 and Shri M. D. Kedia, Accountant, M.W. 3 in support of their case. The workmen have not produced any evidence in rebuttal. As a matter of fact nobody appeared on their behalf. After the management had closed their evidence, I have heard the representative of the management and my findings are as under :—

Issue No. 1 and 2.—The learned representative of the management has made a statement that he does not press the objections which are the subject-matter of these issues. I, therefore, find these issues in favour of the workman.

Issue No. 3.—Sarvshri S. K. Sharma, and P. Satija have proved the 4 resignations marked Ex. M. 1, M. 2, M. 3 and M. 4 which were tendered by Sarvshri Ba'ri Parshad, Paras Ram, Sukhu and Chander Bese respectively. Shri Sharma has stated that all the 4 resignations were tendered by the persons concerned of their own will and these resignations were not obtained from them under any threat or pressure. Shri Sharma states that the workers had themselves brought these resignations to him in duplicate and the duplicate copies were returned to them with his signatures in token of having received the same. Shri Sharma further states that he enquired from the workmen concerned as to why that they were resigning from their jobs and they replied that they had got better jobs with higher wages in some other concern and for this reasons they were resigning and Shri Sukhu in particular stated that he wanted to go back to his home. According to the evidence of Shri Sharma these resignations were placed before the Plant Manager, Shri Satija along with the workmen who after satisfying himself that the workers wanted to leave their job directed that their accounts be settled and he passed orders to this effect on each resignation, separately. Shri Satija corroborates the evidence of Sh. Sharma and since the workmen have not even cared to come in the witness box or lead any evidence in rebuttal, there is no reason to doubt the testimony of both the witnesses who have appeared on behalf of the management and I hold that the management were not responsible for terminating the services of these workmen as stated by them. It is proved that they had in fact resigned from service of their own accord. I, therefore, find issue No. 3 in each case in favour of the management.

Issue No. 4.—In view of my finding on issue No. 3, this issue does not arise.

In view of my findings above the workmen are not entitled to any relief. I give my award accordingly.
No order as to costs.

Dated the 21st January, 1971.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 174, dated Rohtak, the 21st January, 1971.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 817-1Lab-70/3113.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Telefunken India Ltd., Ballabgarh.

**BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK**

Reference No. 154 of 1970.

between

**SHRI AISHI LAL, WORKMAN THROUGH GENERAL LABOUR UNION, IK/16, FARIDABAD
AND THE MANAGEMENT OF M/S TELEFUNKEN INDIA LTD., BALLABGARH.**

Present:—

Shri H. L. Kapoor, for the workman.

Shri B. K. Chatra, for the Management

AWARD

Shri Aishi Lal was in the service of M/S Telefunken India Ltd., Ballabgarh. According to the workman he was removed from service without any proper notice and without any justification with effect from 22nd April, 1970 and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the following dispute to this Court for adjudication,—*vide* Gazette Notification No. ID/FD/316-A/27050, dated 4th September, 1970:—

Whether the termination of services of Shri Aishi Lal was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. It was pleaded on behalf of the management that the workman had voluntarily left the services and further he also entered into a settlement with the management on 23rd June, 1970, and received Rs. 501.15 in full and final settlement of his claim. The pleadings of the parties gave rise to the following issues:—

- (1) Whether Shri Aishi Lal has voluntarily left the service?
- (2) Whether Shri Aishi Lal has settled his accounts with the management in full and final settlement?
- (3) If the above issues are not proved whether the termination of services of Shri Aishi Lal was justified and in order. If not, to what relief is he entitled?

The case was fixed for evidence on 12th January, 1971. Shri H. L. Kapoor was present on behalf of the workmen and Shri B. K. Chabra, representative of the management. Shri Chabra has proved the letter of resignation marked Ex. M. W. 1/1 and the receipt Ex. M. W. 1/2 by which the workman acknowledged the receipt of Rs 501.15. The representative of the workman has not even cross-examined Shri Chabra nor has he produced any evidence in rebuttal. I, therefore, hold that it is satisfactorily established that Shri Aishi Lal has voluntarily left the service and had received Rs 501.15 in full and final settlement of his claim and that now no amount is due to him from the management. Accordingly I find issues Nos. 1 and 2 in favour of the management and issue No. 3 does not arise in view of my findings above. No order as to costs. I give my award accordingly.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak
(Camp Faridabad).

Dated 12th January, 1971.

No. 76, dated the 18th January, 1971.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 16 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Labour Court, Haryana,
Rohtak
(Camp Faridabad).

No. 811-Lab-70/3115.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/S B. M. C. Machine Tools, Mathura Road, Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK.

Reference No. 13 of 1970

between

SHRI RAM GOPAL, WORKMAN, THROUGH GENERAL SECRETARY, GENERAL ENGINEERING MAZDOOR UNION, FARIDABAD AND THE MANAGEMENT OF M/S B. M. C. MACHINE TOOLS, MATHURA ROAD, FARIDABAD

Present:—

Nemo for the workman.

Nemo for the management

AWARD

Shri Ram Gopal was serving as a Chowkidar with M/s B. M. C. Machine Tools, Mathura Road, Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section 1 of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—*vide* Gazette notification No. ID/FD/386-A/21934, dated 20th July, 1970.

Whether the termination of services of Shri Ram Gopal, Chowkidar, was justified and in order? If not to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties by my learned predecessor Shri O. P. Sharma in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. The plea taken by the management was that the workman had voluntarily abandoned his service. The pleadings of the parties gave rise to the following issues:—

1. Whether it is a case of voluntary abandonment of service by the workman? If so, with what effect?
2. Whether the termination of services of Shri Ram Gopal, Chowkidar, was justified and in order? If not to what relief is he entitled?

The case was adjourned for evidence for 9th November, 1970. On that date nobody appeared on behalf of the management and my learned predecessor fixed 26th November, 1970, for the *ex parte* evidence of the workman. This date was changed to 8th December, 1970. On that date the representative of the workman again wanted a date for producing his evidence and so the case was adjourned to 12th January, 1971. On that date no party appeared.

Since the workman had not produced any evidence in support of his contention that the management have wrongfully terminated his services, I hold that he is not entitled to any relief. I give my award accordingly. No order as to costs.

P. N. THUKRAL,

Dated 19th January, 1971.

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 188, dated, Rohtak, the 20th January, 1971.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment, Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 816-1Lab-70/3117.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s United Oil Mills, Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK
REFERENCE NO. 162 OF 1970

between

SHRI INDER PAL, WORKMAN, THROUGH THE GENERAL LABOUR UNION, I.K./16, N.I.T.,
FARIDABAD AND THE MANAGEMENT OF M/S UNITED OIL MILLS, FARIDABAD

Present:—

Shri H. L. Kapoor, for the workman.

Shri D. C. Bhardwaj, for the management.

AWARD

Shri Inder Paul was in the service of M/s United Oil Mill's, Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—*vide* Gazette Notification No. ID/ED/331-A-70/29274, dated 18th September, 1970 : -

Whether the termination of services of Shri Inder Paul was justified and in order ? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties by my learned predecessor Shri O. P. Sharma in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. Shri Sharma felt that it was necessary to examine the parties before framing the issues and the case was, therefore, adjourned to 14th December, 1970.

In view of the transfer of Shri Sharma notice was issued to the parties for 7th December, 1970. Service of the management could not be effected for 7th December, 1970 and so the case was adjourned of 11th January, 1971. On that date Shri R. L. Sharma appeared on behalf of the workman but the workman did not appear although there was a direction to this effect. Shri Juggal Singh Mehra was present on behalf of the management and he stated that the workman remained in their service upto 18th July, 1970. He says that they had no complaint against him except that he was irregular and after 18th July, 1970 he stopped coming to the factory altogether. Shri Juggal Singh Mehra further stated that notice dated 24th July, 1970 under registered cover was sent to the workman by which he was advised to join his duty but he gave no reply nor did he join his duty and therefore, there was no option but to strike off his name from the rolls.

At the request of the representative of the workman a short adjournment was given to him so that the workman may appear in person but still the workman did not attend. It appears that the workman is not interested in pursuing his claim and under these circumstances it cannot be held that the termination of his service was not justified. He is not entitled to any relief. I give my award accordingly. No order as to costs.

(P. N. THUKRAL)
Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated the 18th January, 1971.

No. 160, dated Rohtak the 20th January, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

(P. N. THUKRAL),
Presiding Officer,
Labour Court, Haryana,
Rohtak.

B. L. AHUJA,
Commissioner for Labour and Employment and Sec